

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3427 of 2019

Arising Out of PS. Case No.-19 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Sandeep Singh, Son of Prem Singh, Resident of Village - Sarhind
Humayunpur, P.S.- Humayunpur, Dist- Fatehgadh (Panjab)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad
For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 27-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in N.D.P.S. Case No. 17
of 2017 (arising out of Crime No. NCB/PZU/V/19/2017)
registered under Sections 8 and 20 of the N.D.P.S. Act.

900 Kg of ganja is said to have been recovered
from the truck being driven by the petitioner and the petitioner
was apprehended.

It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner. He has no
concern with the seized contraband. He happens to be mere
driver of the truck in question and he had no knowledge of



keeping of the aforesaid contraband in the truck by its owner. He has been languishing in custody since 21.09.2017. No witness as yet has been examined by the prosecution as evident from the report of the learned lower court though charge in the case has been framed on 14.08.2018.

On the other hand, learned APP for the State opposing the bail petition submitted that from the truck of the petitioner, 900 Kg of ganja has been recovered and seized and the petitioner was apprehended from the aforesaid truck as its driver. Considering the huge quantity of contraband recovered from the truck of the petitioner, he does not deserve bail.

From perusal of the report of the learned lower court, it appears that charge in the case has been framed on 14.08.2018 and despite issuing summons, no witness has been examined as yet by the prosecution.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within nine months from the date of receipt/production of a copy of this order and S.P., Begusarai is directed to ensure the production of



the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to S.P., Begusarai by fax for needful.

(Prakash Chandra Jaiswal, J)

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